

Leadbetter Point, WA, would open July 21, 1997 and continue through the earlier of September 25, 1997, or attainment of the 14,000 coho subarea quota, with a bag limit of two fish per day. Inseason management may be used to sustain season length and keep harvest within a guideline of 3,000 chinook.

The best available information on June 4, 1997, indicated that the 1985–1993 average of recreational catch ratios is 4.7 coho to 1 chinook, which is similar to the ratio of the coho quota to the chinook guideline for this fishery. Concern was expressed that this year's relative abundance of coho to chinook might be lower and that the chinook guideline could be achieved first, thus leaving a large portion of the coho quota unharvested. To optimize angler opportunity to fish on the available coho stocks, it is necessary to limit the retention of chinook at the beginning of the season by changing the bag limit to two fish, only one of which may be a chinook.

Modification of recreational bag limits is authorized by regulations at 50 CFR 660.409(b)(1)(iii). All other restrictions that apply to this fishery remain in effect as announced in the annual management measures, including the restriction of no more than four fish in 7 consecutive days.

The Regional Administrator consulted with representatives of the Pacific Fishery Management Council, the Washington Department of Fish and Wildlife, and the Oregon Department of Fish and Wildlife regarding this adjustment. The State of Washington will manage the recreational fishery in state waters adjacent to this area of the exclusive economic zone in accordance with this Federal action. As provided by the inseason notification procedures of 50 CFR 660.411, actual notice to fishermen of this action was given prior to 2400 hours local time, July 20, 1997, by telephone hotline number 206–526–6667 and 800–662–9825 and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz. Because of the need for immediate action to modify the bag limit before the opening of this fishery, NMFS has determined that good cause exists for this notice to be issued without affording a prior opportunity for public comment. This action does not apply to other fisheries that may be operating in other areas.

Classification

This action is authorized by 50 CFR 660.409 and 660.411 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 8, 1997.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 961126334–7025–02; I.D. 080897B]

Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is closing directed fishing for species that comprise the shallow-water species fishery by vessels using trawl gear in the Gulf of Alaska (GOA), except for vessels fishing for pollock using pelagic trawl gear in those portions of the GOA open to directed fishing for pollock. This action is necessary because the third seasonal bycatch allowance of Pacific halibut apportioned to the shallow-water species fishery in the GOA has been caught.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), August 11, 1997, through 1200 hrs, A.l.t., October 1, 1997.

FOR FURTHER INFORMATION CONTACT: Thomas Pearson, 907–486–6919.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The prohibited species bycatch mortality allowance of Pacific halibut

for the GOA trawl shallow-water species fishery, which is defined at § 679.21(d)(3)(iii)(A), was established as 200 metric tons by the Final 1997 Harvest Specifications of Groundfish for the GOA (62 FR 8179, February 24, 1997) for the third season, the period July 1, 1997 through September 30, 1997.

In accordance with § 679.21(d)(7)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the third seasonal apportionment of the 1997 Pacific halibut bycatch mortality allowance specified for the trawl shallow-water species fishery in the GOA has been caught. Consequently, the Regional Administrator is closing directed fishing for the species that comprise the shallow-water species fishery by vessels using trawl gear in the GOA, except for vessels fishing for pollock using pelagic trawl gear in those portions of the GOA open to directed fishing for pollock. The species and species groups that comprise the shallow-water species fishery are: pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, and “other species”.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent exceeding the third seasonal allowance of halibut mortality in the GOA. A delay in the effective date is impracticable and contrary to public interest. The fleet will soon take the seasonal allowance of halibut mortality. Further delay would only result in the seasonal allowance being exceeded and disrupt the FMP's objective of seasonally apportioning halibut mortality throughout the year. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under U.S.C. 553(d), a delay in the effective date is hereby waived.

Classification

This action is required by 50 CFR 679.21 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 8, 1997.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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